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PATENT  
01925-P0208A WWW/SBS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	David Bolt, <i>et al.</i>
Application No. 10/722,874	Filing Date: November 26, 2003
Title of Application:	Trailing Arm Suspension And Height Control System With Motorized Valve Therefor
Confirmation No. 1709	Art Unit: 3616

Mail Stop Amendment  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

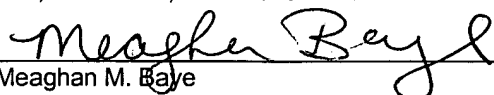
**Renewed Petition to Accept Unintentionally Delayed Priority Claim**  
**Under 35 U.S.C. § 120 and Pursuant to 37 CFR 1.78 (a)(3)**

Applicants herewith present its Renewed Petition to Accept Unintentionally Delayed Priority Claim under 35 U.S.C. § 120 and pursuant to 37 CFR 1.78 (a)(3).

When Applicants filed the pending application, Applicants claimed the benefit of the filing date of Provisional Application Serial No. 60/293,616 filed on May 25, 2001. The filing date of the present application is November 26, 2003.

**Mailing Certificate:** I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as *First Class Mail* in an envelope addressed to: Commissioner for Patents and Trademarks; Post Office Box 1450; Alexandria, VA 22313-1450.

October 6, 2006

  
Meaghan M. Baye

Applicants unintentionally omitted listing PCT International Application No. PCT/US02/16510 filed May 23, 2002 in the chain of priority (a copy of 1. the declaration listing both the provisional application and the PCT application as previously submitted; and 2. the current filing receipt are attached hereto). Accordingly, Applicants present a Petition to Accept an Unintentionally Delayed Priority Claim as follows:

35 U.S.C. § 120 provides for making a claim of priority to a previously filed application as follows:

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States . . . which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or on an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Accordingly, Applicant respectfully submits that the present application is currently pending and as such, the Petition is made within the time frame outlined by 35 U.S.C. § 120.

37 CFR 1.78 (a)(3) outlines the procedure for submitting a "petition to accept an unintentionally delayed claim under 35 U.S.C. 120."

(i) The reference required by 35 U.S.C. 120 and paragraph (a)(2) of the section to the prior-filed application, unless previously submitted.

Attached hereto is a Supplemental Amendment dated October 6, 2006 in which the first paragraph of the application was amended to include the priority information required by 35 U.S.C. 120.

(ii) The surcharge set forth in § 1.17(t).

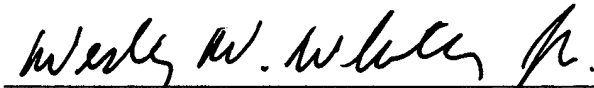
A fee payment in the amount of \$1,370.00 was previously submitted.

(iii) A statement that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional.

The entire delay between March 26, 2004 (four months from the filing date of the presently pending application) and the submission of this Petition was unintentional.

Respectfully submitted,

October 6, 2006



Wesley W. Whitmyer, Jr., Registration No. 33,558  
Steven B. Simonis, Registration No. 54,449  
Attorneys for Applicants  
ST. ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
203 324-6155



PATENT  
01925-P0208A WWW/SBS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	David Bolt, et al.
Serial No. 10/722,874	Filing Date: November 26, 2003
Title of Application:	Trailing Arm Suspension And Height Control System With Motorized Valve Therefor
Confirmation No. 1709	Art Unit: 3616

Mail Stop Missing Parts  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**Filing of Missing Parts**

Dear Sir:

Applicants hereby enclose, for filing in response to the Notice to File Missing Parts of Application - Filing Date Granted dated August 4, 2004 (copy enclosed), the Declaration of the Inventors executed on April 19, 2004; June 11, 2004; and June 17, 2004, and payment of the required fee in the amount of \$130.00.

The Commissioner is hereby authorized to charge any additional fees by this paper and during the entire pendency of this Application to Account No. 19-4516.

Respectfully submitted,

Wesley W. Whitmyer, Jr., Registration No. 33,558  
Steven B. Simonis, Registration No. 54,449  
Attorneys for Applicants  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street; Stamford, CT 06905-5619  
203 324-6155

Certificate of Mailing: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Box Missing Parts; Commissioner for Patents; Washington, DC 20231.

August 20, 2004

  
Lisa A. Evensen



## UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/722,874	11/26/2003	David Bolt	01925- P0208A

CONFIRMATION NO. 1709

24126

ST. ONGE STEWARD JOHNSTON & REENS, LLC  
 986 BEDFORD STREET  
 STAMFORD, CT 06905-5619

## FORMALITIES LETTER

RECEIVED

St. Onge Steward Johnston &amp; Reens, LLC



PG000000013436823\*

AUG 06 2004

FILE  
DRT10-0-04-Declaration  
2-0-04-

Date Mailed: 08/04/2004

SP (Cn)

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **21-23** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date.

being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



PATENT  
01925-P0208A WWW/SBS

**Declaration and Power of Attorney**

As below-named inventors, we hereby declare that:

Our residences, post office addresses, and citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **Trailing Arm Suspension And Height Control System With Motorized Valve Therefor**, bearing Serial No. 10/722,874, filed November 26, 2003.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. To the best of our knowledge, information, and belief the facts stated therein are true.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(3) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States, listed below, any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the application on which priority is claimed.

PCT International Publication No. WO 02/096683 A1 filed May 23, 2002

We hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional Application(s) listed below.

U.S. Provisional Application No. 60/293,616 Filed May 25, 2001

We hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s), or §365(c) of any PCT International Application designating the United States, listed below, and insofar as the subject matter of each of the claims of this Application is not disclosed in the prior United States or PCT Application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations,

Page 2  
Declaration and Power of Attorney  
Serial No. 10/722,874

§1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

None

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint Wesley W. Whitmyer, Jr., Registration No. 33,558, and Steven B. Simonis, Registration No. 54,449, of ST.ONGE STEWARD JOHNSTON & REENS LLC; 986 Bedford Street; Stamford, Connecticut 06905-5619 (203 324-6155); with full power of substitution, association and revocation, as attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all telephone calls and correspondence to Wesley W. Whitmyer, Jr. at the above address and telephone number.

Full name of first inventor:

David Bolt

Inventor's signature

Date:

Residence:

Citizenship:

Post Office Address:

Grand Haven, Michigan

A citizen of United States

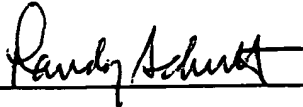
12974 120th Avenue  
Grand Haven, MI 49417



Full name of second inventor:

**Randy Schutt**

Inventor's signature



Date:

6/11/04

Residence:

Holland, Michigan

Citizenship:

A citizen of United States


Post Office Address:

2134 Perry Street  
Holland, MI 49424

Full name of third inventor:

**Victor A. Plath**

Inventor's signature



Date:

6/17/04

Residence:

Nunica, Michigan

Citizenship:

A citizen of United States

Post Office Address:

11176 State Road  
Nunica, MI 49448

Case No. 01925-P0208A WWW/SBS/ceh

Applicants: David Bolt, et al.

SN: 10/722,874

GAU 3616

Filed 11/26/03

For: Trailing Arm Suspension And Height Control System  
With Motorized Valve Therefor

Receipt is hereby acknowledged of Filing of Missing Parts, Copy of Notice to File  
Missing Parts, Declaration and Power of Attorney, Petition to Accord Filing Date to  
Items Alleged Omitted and \$130.00 Check.

Mailed August 20, 2004

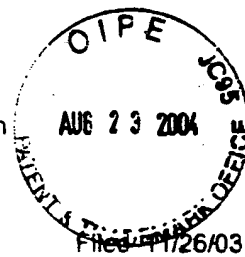
Commissioner  
for Patents

Case No. 01925-P0208A WWW/SBS/ceh

Applicants: David Bolt, et al.

SN: 10/722,874

GAU 3616



Filed 11/26/03

For: Trailing Arm Suspension And Height Control System  
With Motorized Valve Therefor

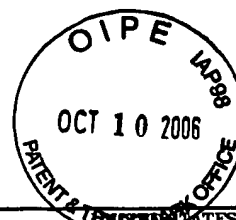
Receipt is hereby acknowledged of Filing of Missing Parts, Copy of Notice to File  
Missing Parts, Declaration and Power of Attorney, Petition to Accord Filing Date to  
Items Alleged Omitted and \$130.00 Check.

Mailed August 20, 2004

Commissioner  
for Patents



## UNITED STATES PATENT AND TRADEMARK OFFICE



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/722,874	11/26/2003	3616	1242	01925- P0208A	15	39	3

24126

ST. ONGE STEWARD JOHNSTON & REENS, LLC  
 986 BEDFORD STREET  
 STAMFORD, CT 06905-5619

RECEIVED  
 St. Onge Steward Johnston & Reens

CONFIRMATION NO. 1709

UPDATED FILING RECEIPT

MAY 05 2006



\*OC000000018673160\*

FILE  
 DKT

*Noted in R114*

Date Mailed: 05/03/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

David Bolt, Grand Haven, MI;  
 Randy Schutt, Holland, MI;  
 Victor A. Plath, Nunica, MI;

**Power of Attorney:**

Wesley Whitmyer Jr--33558  
 Steven Simonis--54449

**Domestic Priority data as claimed by applicant****Foreign Applications**

If Required, Foreign Filing License Granted: 08/04/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/722,874**

Projected Publication Date: 08/10/2006

Non-Publication Request: No

Early Publication Request: No

**Title**

Trailing arm suspension and height control system with motorized valve therefor

**Preliminary Class**

280

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).